



DEPARTMENT OF THE NAVY  
COMMANDER MILITARY SEALIFT COMMAND  
471 EAST C STREET  
NORFOLK VA 23511-2419

5720  
Ser N00L/1079  
25 Oct 21

Mr. David Baldwin (mstewart@detyens.com)  
Detyens Shipyards Inc.  
1670 Drydock Avenue  
Building 236, Suite 200  
North Charleston, SC 29405-2121

Subj: FOIA REQUEST (DON-NAVY-2022-000561)

This responds to your Freedom of Information Act (FOIA) request of October 18, 2021, assigned tracking number DON-NAVY-2021-000561, set forth below:

“The releasable portion of the bid results (evaluated totals and award price) for all offerors on Sol# N32205-21-R-4170 for the USNS ZEUS.”

Deytens Shipyards Inc.’s final evaluated cost proposal was \$10,524,884.40.

We are not providing the final evaluated cost proposal for the other submissions. FOIA provision 5 USC § 552(b)(3) implements 10 U.S.C. §2305(g), which requires us to withhold any proposal “submitted by a contractor in response to the requirements of a solicitation for a competitive proposal,” unless that proposal “is set forth or incorporated by reference in a contract entered into between the agency and the contractor that submitted the proposal.” Because the contract was not awarded to the contractors making these submissions, their proposal terms are not set forth or incorporated by reference into the contract.

In accordance with my determination that you are a commercial requester, your charge is \$48.00. For an itemization of costs, please see the enclosed invoice.

I am the official responsible for the partial denial of your request. I may be contacted at the above address.

You have the right to an appeal. Any appeal must be received within 90 calendar days from the date of this letter. Your appeal must include an explanation of why you believe it should be granted. For ease of processing, you are encouraged to include a copy of your initial request and a copy of this denial letter.

There are two ways to file an appeal—through FOIAonline or by mail.

1. Through FOIAonline. You must set up an account in FOIAonline before you make the request that you would like to appeal. To set up an account, go to FOIAonline (this is a website that will appear as the top hit if you search the internet for "FOIAonline"), click "Create Account" (a link located within the blue banner at the top in the upper right corner), enter your data into the field that subsequently appears, and click "Save" (at the bottom left of the screen). With your account thereby created, you will have the power to file an appeal in FOIAonline to any request you file in FOIAonline thereafter. To do so, locate your request (enter a keyword or the request tracking number in the "Search for" field on the "Search" tab), click on it, then the "Create Appeal" tab in the left-hand column. Complete the subsequent field, click "Save," and FOIAonline will submit your appeal.
2. By mail. Address your appeal in an envelope marked "Freedom of Information Act Appeal" to:

Office of the General Counsel  
Department of the Navy General Counsel  
1000 Navy Pentagon, Room 5A532  
Washington, DC 20350-1000

Please also send a copy of your appeal letter to Military Sealift Command, ATTN: FOIA, 471 East C Street, SP-30, Norfolk, VA 23511.

If you have any questions, please contact the Military Sealift Command FOIA Coordinator, Terri Blair, by email at [terri.blair@navy.mil](mailto:terri.blair@navy.mil) or by telephone at (757) 443-2359. You also may contact the Department of the Navy FOIA Public Liaison, Christopher Julka, by email at [christopher.a.julka@navy.mil](mailto:christopher.a.julka@navy.mil) or by telephone at (703) 697-0031. In addition, the Office of Government Information Services (OGIS) provides a voluntary mediation process for resolving disputes between persons making FOIA requests and the Department of the Navy. For more information, go to <https://www.archives.gov/contact>.

Sincerely,



M. K. DeMANE  
Initial Denial Authority

Enclosure: Invoice